

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MB Docket No. 07-220
Table of Allotments,	)	RM-11403
FM Broadcast Stations.	)	
(Ash Fork and Paulden, Arizona)	)	
	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: March 26, 2008****Released: March 28, 2008**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued a *Notice of Proposed Rule Making* in response to a Petition for Rule Making filed by Sierra H Broadcasting, Inc. ("Petitioner").<sup>1</sup> The *Notice* proposes to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, by substituting Channel 259A for vacant and unapplied for Channel 267A at Ash Fork, Arizona, and by substituting Channel 228C3 for vacant and unapplied for Channel 263C3 at Paulden, Arizona. The purpose of the proposed channel substitutions is to accommodate petitioner's pending application to upgrade the license for FM Station KNRJ, Channel 266C1, Payson, Arizona, to Channel 266C, to change the station's community of license from Payson to Cordes Lakes, Arizona, and to change the reference coordinates for the station's allotment site.<sup>2</sup>

2. Petitioner filed comments supporting the allotment changes proposed in the *Notice*. No other comments were received.

3. We believe that the proposed channel substitutions would serve the public interest, because they will accommodate Petitioner's channel upgrade and change of community for FM Station KNRJ, providing Cordes Lakes, Arizona, with its first local transmission service. Implementation of the proposed channel substitutions will not create any deleterious effect upon the services that can be made available using the current Class A allotment at Ash Fork, Arizona, and the Class C3 allotment at Paulden, Arizona.

4. Channel 259A can be allotted at Ash Fork with a site restriction of 7.4 km (4.6 miles) northwest of city reference coordinates. The reference coordinates for Channel 259A at Ash Fork are: 35-16-13 NL and 112-32-31 WL. Channel 228C3 can be allotted at Paulden with a site restriction of 7.7 km (4.8 miles)

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<sup>1</sup> *Ash Fork and Paulden, Arizona*, Notice of Proposed Rule Making, 22 FCC Rcd 18,545 (MB 2007) ("*Notice*").

<sup>2</sup> See File No. BPH-20070330BLN.

west of city reference coordinates. The reference coordinates for Channel 228C3 at Paulden are: 34-52-16 NL and 112-33-00 WL. Concurrence in the allotment by the Government of Mexico is required because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Mexican border.

Although Mexican concurrence has been requested, notification has not been received. If a construction permit for Channel 228C3 at Paulden, Arizona, is granted prior to receipt of formal concurrence by the Mexican government, the authorization will include the following condition: "Operation with the facilities specified herein for Paulden, Arizona, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Mexico-United States FM Broadcast Agreement, or if specifically objected to by the Government of Mexico."

5. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.<sup>3</sup>

6. Accordingly, IT IS ORDERED, That effective May 12, 2008, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED as follows:

<u>Community</u>	<u>Channel Number</u>
Ash Fork, Arizona	259A
Paulden, Arizona	228C3

7. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail, Return Receipt Requested, a copy of this Order to the following:

Barry A. Friedman, Esq.  
Thompson Hine LLP  
Suite 800  
1920 N Street, N.W.  
Washington, D.C. 20036  
(Counsel for Sierra H Broadcasting, Inc.)

8. The window periods for filing applications for Channel 259A at Ash Fork, Arizona, and for Channel 228C3 at Paulden, Arizona, will not be opened at this time. Instead, the issue of opening filing windows for these allotments will be addressed by the Commission in a subsequent *Order*.

9. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

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<sup>3</sup> See 5 U.S.C. § 801 (a)(1)(A).

10. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072. Questions related to the application filing process for Channel 268C3 at Peach Springs, Arizona, should be addressed to the Audio Division, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau